

REMARKS:

Claims 1-28 are pending in the application. By this Amendment, claims 1-4, 6, 9, 13-17, 19-21, 23, and 25-28 have been amended. Claims 5, 7, 8, 11, 12, 18, 22, and 24 have been canceled without disclaimer. Accordingly, upon entry of this amendment, claims 1-4, 6, 9, 10, 13-17, 19-21, 23, and 25-28 will be pending and under examination.

In the April 29, 2010 Office Action, claims 15-22, 26, and 28 were rejected under 35 U.S.C. 112, second paragraph, as indefinite. In response, claims 15, 26, and 28 have been amended to recite that “a predetermined event is identified in the dental unit (U), the predetermined event being taking said at least one dental-care instrument (X) to use; information related to the identified event is sent from the dental unit (U) to the data system (S); said information is received in the data system (S); and said information is stored in the data system (S) item-specifically.” Claims 16-22 depend from amended claim 15. Applicant maintains that these amendments address the Examiner’s rejection and respectfully requests that this rejection of claims 15-22, 26, and 28 be reconsidered and withdrawn.

Claims 1-4, 6-17, and 19-28 were rejected under 35 U.S.C. 102(e) as anticipated by Beier et al., U.S. Patent No. 7,258,546 (“Beier”). Claims 5 and 18 were rejected under 35 U.S.C. 103(a) as obvious over Beier. In response, applicant first notes that claims 5, 7, 8, 11, 12, and 18 have been canceled thereby rendering moot the rejections as to these claims. Applicant has amended claims 1-4, 6, 9, 13-17, and 19-28 to more clearly define applicant’s invention. Applicant maintains that in light of these amendments the claims are neither anticipated by, nor rendered obvious over, Beier. Accordingly, applicant respectfully traverses these grounds of rejection as applied to the amended claims now pending and under examination.

Applicant’s invention according to amended claim 1 is a data arrangement for dental-care environment, which comprises at least one dental unit (U) configured to control operation of at least one dental-care instrument (X), and a data system (S), wherein a data transmission communication has been arranged between the dental unit (U) and the data system (S); and

wherein the arrangement comprises *a means for identifying a predetermined event, the predetermined event being taking said at least one dental-care instrument (X) to use, and a means for transmitting information related to said event to the data system (S) as a response to identifying the predetermined event, and a means for storing said information in the data system (S) item-specifically.* Claims 2-4, 6, 9, 10, 13, and 14 depend from claim 1.

According to amended claim 1, the taking of an instrument (X) to use is the pre-determined event which triggers recording of information. As discussed in reference to Fig. 4 of the application, for example, lifting of the instrument X from the dental unit instrument table can be arranged to be identified. Data of taking the instrument in use, and how it was used, is transmitted to the patient database in which is stored, for example, data "properly at the point of time A sterilised instrument X was used at the point of time B for drilling tooth H of patient P by the drill operation parameter M, N, O values m, n, o". Operation parameter values to be stored may be, for example, drilling times, power and rotation speed, which data related to the drilling stage is thus transmitted to be stored in the database as a response to the use of drill. The trigger for storing this information is the event of having taken instrument (X) in use. This is the predetermined event as claimed herein.

Applicant's invention provides a solution to the well-known problem of having to rely on a person to record pertinent information regarding a patient or treatment. Manual data entry is time-consuming and subject to human error and forgetfulness. This invention provides an advantage in that it does not rely on any person to record information and provides the means for storing information relating to individual treatments and patients more extensively and in greater detail. Applicant's invention makes it possible to establish which treatment a patient was given, how it was given and which equipment was used. Accordingly, dental offices or clinics can reliably show that no malpractice has occurred if needed, or easily access and possibly transmit the dental treatment history of a patient. This invention promotes quality assurance of dental care. Because the dental information stored may be of different stages of the dental treatment, this aspect of the invention is advantageous both for the dentist, as he has at his disposal all the necessary information to ensure proper succession of treatment, and for patient safety.

In contrast, Beier does not disclose a predetermined event as a trigger for recording information about any instrument or treatment.

Beier discloses a medical or dental instrument having a memory element for storing information which is rewritable so that the information stored may be replaced by other information, e.g. different operational information. Beier's device comprises an instrument connected to a power supply through a flexible supply line. The instrument and power supply are connected through a releasable coupling as shown in Figure 1 of Beier. Upon coupling of the instrument with the power supply, the information in the memory element can be called up and used. In essence, the memory element stores information but there is no predetermined event that would trigger the instrument storing information, most relevantly not in response to the taking of the instrument to use. Beier does not disclose any predetermined event which would trigger the recording of information. Rather, Beier's invention centers around the memory element being capable of overwriting stored information with new information.

The Examiner points to column 9, lines 30-53, as disclosing a predetermined event which triggers the recording of information. Applicant disagrees with the Examiner's reading of this passage. At lines 30-53, Beier describes an embodiment of his invention as depicted in Figures 15 and 16, wherein the coding (10a) is alterable, i.e. the information can be overwritten by new information, and this information can be displayed on a reading device (10b). Beier states that "the reading device 10b is at the same time a transmitter and a receiver 10c and the coding 10a is alterable through a transfer of data from a data transmitter 10d and preferably constituted by means of a memory element 10e for the overwriting of its data with the data transferred from the data transmitter 10d." Accordingly, Beier's invention does not initiate recording of information to be stored based on a predetermined event as claimed herein, i.e. the start of the use of the instrument, but rather the device is designed to be able to receive and overwrite data information, which information may be predetermined by the manufacturer or customized by the user.

Applicant maintains that there is no disclosure in Beier of this trigger event as now claimed herein. Beier does not disclose any means for identifying any predetermined event, thus also not recording of information based on such identification.

Further, while the information according to Applicant's claimed invention is recorded item-specifically, Beier is silent on how the information is stored in the memory element arranged in an instrument. Beier also does not discuss anything concerning how the information is recorded elsewhere when having been read out from the memory element.

Applicant's invention according to amended claim 15 is a method for maintaining an electronic dental-care register for a dental-care environment in a data arrangement, the dental-care environment comprising at least one dental unit (U) configured to control operation of at least one dental-care instrument (X), and a data system (S), wherein a data transmission communication is formed between the dental unit (U) and the data system (S); *a predetermined event is identified in the dental unit (U), the predetermined event being taking said at least one dental-care instrument (X) to use; information related to the identified event is sent from the dental unit (U) to the data system (S); said information is received in the data system (S); and said information is stored in the data system (S) item-specifically.* Claims 16, 17, and 19-21 depend from claim 15.

According to the method of amended claim 15, the taking of an instrument (X) to use is the predetermined event which triggers recording of information. As stated above, when the data system (S) has received a notice of the instrument (X) having been taken in use, it stores the information relating to instrument (X) having been taken in use and any other information pertaining to the use of instrument (X). The trigger for storing this information is the event of having taken instrument (X) in use. This is the predetermined event as claimed herein.

Again, as stated above in reference to claim 1, Beier does not disclose a predetermined event as a trigger for recording information about any instrument or treatment, nor anything on how the information is recorded.

Applicant maintains that there is no disclosure in Beier of this trigger event as recited in amended claim 15, nor that information would be stored item-specifically.

Applicant's invention according to amended claim 23 is a dental-care-related device for performing dental-care events in a dental-care environment, wherein it comprises means for forming a data transmission communication with a data system (S) for the dental-care environment; *means for identifying a predetermined event*; and means for transmitting information related to the identified event to the data system (S), wherein the dental-care-related device includes a dental unit (U) configured to control operation of at least one dental-care instrument (X) and *the predetermined event is taking said at least one dental-care instrument (X) to use, and wherein the dental-care related device further comprises means for storing information in the data system (S) item-specifically.*

According to amended claim 23, the taking of an instrument (X) to use is the pre-determined event which triggers recording of information. As stated above, when the data system (S) has received a notice of the instrument (X) having been taken in use, it stores the information relating to instrument (X) having been taken in use and any other information pertaining to the use of instrument (X). The trigger for storing this information is the event of having taken instrument (X) in use. This is the predetermined event as claimed herein.

Again, Beier does not disclose a predetermined event as a trigger for recording information about any instrument or treatment, nor that the information would be stored item-specifically.

Applicant maintains that there is no disclosure in Beier of this trigger event as recited in amended claim 23, nor that information would be stored item-specifically.

Applicant's invention according to amended claim 25 is a software product for a data arrangement for dental-care environment, the dental-care environment comprising at least one device (U, T) related to dental treatment and a data system (S), which software product comprises a program stored on program storage means and being readable by a computer, wherein it comprises a first routine by which a data transmission communication between the dental-care-related device (U, T) and the data system (S) is formed; *a second routine by which a predetermined event is identified in the dental-care-related device (U, T)*; and a third routine by which information related to the identified event is transmitted from the dental-care-related

device (U, T) to the data system (S), wherein at least one of the devices (U, T) related to dental treatment is a dental unit (U) configured to control operation of at least one dental-care instrument (X), and *the predetermined event is taking said at least one dental-care instrument (X) to use*. Claim 26 depends from claim 25.

According to amended claim 25, the taking of an instrument (X) to use is the pre-determined event which triggers recording of information. As stated above, -when the data system (S) has received a notice of the instrument (X) having been taken in use, it stores the information relating to instrument (X) having been taken in use and any other information pertaining to the use of instrument (X). The trigger for storing this information is the event of having taken instrument (X) in use. This is the predetermined event as claimed herein.

Again, Beier does not disclose a predetermined event as a trigger for recording information about any instrument or treatment. Applicant maintains that there is no disclosure in Beier of this trigger event as recited in amended claim 25.

Applicant's invention according to amended claim 27 is a software product in a data arrangement for dental-care environment, the dental-care environment comprising at least one device (U, T) related to dental treatment and a data system (S), which software product comprises a program stored on program storage means and being readable by a computer, wherein it comprises *a first routine by which information related to a predetermined event is received in the data system from the dental-care-related device (U, T)*; and a second routine by which said information is stored in the data system (S) so that it may be linked to the object of the event, wherein at least one of the devices (U, T) related to dental treatment is a dental unit (U) configured to control operation of at least one dental-care instrument (X), and *the predetermined event is taking said at least one dental-care instrument (X) to use*. Claim 28 depends from claim 27.

According to amended claim 27, the taking of an instrument (X) to use is the pre-determined event which triggers recording of information. As stated above, - when the data system (S) has received a notice of the instrument (X) having been taken in use, it stores the information relating to instrument (X) having been taken in use and any other information pertaining to the

use of instrument (X). The trigger for storing this information is the event of having taken instrument (X) in use. This is the predetermined event as claimed herein.

Again, Beier does not disclose a predetermined event as a trigger for recording information about any instrument or treatment. Applicant maintains that there is no disclosure in Beier of this trigger event as recited in amended claim 27.

To summarize, the Applicants understand that the claim rejections are for the most part based on Beier's col. 9 line 30 onwards. However, contrary to what argued by the Examiner, the Applicants fail to find therein any teaching on anything being done based on identifying a predetermined event, not even any teaching on what would be an event that could be considered one being predetermined. Applicants fail to find a teaching in Beier of a means for transmitting information as a response to identification of a predetermined event (the Office Action does not specify what on col. 9 is to be considered constituting either "a predetermined event" or "a means for identifying it"), as well as any discussion on how the information is to be stored. Applicants also fail to find any disclosure in Beier of a "treatment event" being a predetermined event that would somehow be identified and, subsequently, such identification would then trigger storing information, treatment-event or any other item-specifically.

Accordingly, in view of the amendments made herein and the remarks above, applicant maintains that claims 1-4, 6, 9, 10, 13-17, 19-21, 23, and 25-28 as amended herein are neither anticipated by, nor rendered obvious over, Beier.

Reconsideration and allowance of claims 1-4, 6, 9, 10, 13-17, 19-21, 23, and 25-28 as now amended are respectfully requested.

Respectfully submitted,



Martin G. Raskin
Reg. No. 25,642

Cozen O'Connor
250 Park Avenue, 10th Floor
New York, New York 10177
Tel: (212) 986-1116